Amendments to the Drawings:

Replacement sheets representing formal drawings of Figures 1-11 are being submitted herewith in compliance with 37 CFR 1.121(d). No amendments to the drawings have been made by way of this paper. Figure 9 has been adjusted so that it is not cut off on the left hand side. Applicants request consideration and approval of the formal drawings by the Examiner.

Enclosures: Replacement Figures 1-11

REMARKS

Claims 1-5 are pending in the application and are rejected.

By way of this paper, claims 2 and 3 are amended consistent with pages 32-33 of the specification. Also, the specification is amended at pages 12 and 32 as requested by the Examiner.

The foregoing amendments to the specification and claims and the following remarks are believed to be fully responsive to the outstanding Office Action, and are believed to place the application in condition for allowance.

Formal Drawings

Replacement sheets representing formal drawings of Figures 1-11 are being submitted herewith in compliance with 37 CFR 1.121(d). No amendments to the drawings have been made by way of this paper. Figure 9 has been adjusted so that it is not cut off on the left hand side. Applicants request consideration and approval of the formal drawings by the Examiner.

Claim Rejections – 35 U.S.C. § 112, second paragraph

Claims 1-5 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. Specifically, the amended phrase in independent claim 1 "which is not a linking agent", in reference to the phrase "at least one nanomorphic non-polymeric organic compound" in the claim, is not expressly mentioned in the specification. Claims 2-5 depend from independent claim 1.

By way of this paper, the specification has been amended at pages 12 and 32 to add "which is not a linking agent", in reference to a nanomorphic non-polymeric organic compound. This amendment to the specification is not new matter as it is intrinsic in the specification as originally filed.

Accordingly, the Applicants request reconsideration and withdrawal of the 35 U.S.C. §112, second paragraph, rejections of Claims 1-5.

Claim Rejections – 35 U.S.C. § 103

Claims 1-5 are rejected under 35 U.S.C. §103(a) as being unpatentable over Alivisatos (US 5537000) in view of Lamansky et al. (US20040062947).

1. Alivisatos et al. fails to disclose a nanomorphic non-polymeric organic compound as in claim 1, since the referred-to compound in Aivisatos et al. is a bonded combination of organic and inorganic materials and therefore is not an organic compound as in claim 1.

Claim 1 reads as follows.

1. A light emitting display comprising:

a first addressing electrode;

a second addressing electrode; and

a nanomorphic material layer having at least one nanomorphic non-polymeric organic compound which is positioned between the first addressing electrode and the second addressing electrode and which is not a linking agent.

Alivisatos et al. discloses a first electrode 10, a second 40, and a nanomorphic material layer 30 between the two electrodes as in FIG. 4. The nanomorphic material layer 30 is formed using nanometer crystals which comprise Group II-VI compounds, i.e. non-polymeric inorganic compounds. See 2:7-10 and 6:4-25 in Alivisatos et al. Thus, the nanometer crystals are not organic.

The non-polymeric inorganic nanometer crystals in Alivisatos et al. are bonded via a non-polymeric organic linking agent which is not nanomorphic. See 6:26-65 in Alivisatos et al. Thus, in Alivisatos et al. there is formed a bonded combination of the inorganic nanometer crystals and the organic linking agent, which is not nanomorphic. The Examiner then appears to refer to the bonded combination of the inorganic nanometer crystals and the organic linking agent, which is not nanomorphic, in regard to the claim limitation *at least one nanomorphic non-polymeric organic compound* -- when she states that Alivisatos et al. discloses a nanomorphic layer having at least one nanomorphic non-polymeric organic compound. However, this ignores the disclosure in Alivisatos et al. that the nanometer crystals are inorganic, rather than organic. Thus, Alivisatos et al. fails to disclose what the Examiner has stated, since the compound in Aivisatos et al. is a bonded combination of organic and inorganic

materials and therefore is not an organic compound as in claim 1. What the examiner appears to have done, instead, is to apply a '102 or anticipation reasoning to a '103 or obviousness rejection of claim 1. This is in error. A '103 rejection requires an exact match between the disclosure relied on in the prior art reference and the claimed subject matter.

Accordingly, since the referred-to compound in Aivisatos et al. is a bonded combination of organic and inorganic materials and therefore is not an organic compound as in claim 1, the rejection of claim 1 should be withdrawn.

2. If the Examiner relies on 2:7-10 in Alivisatos et al. as a teaching that the nanometer crystals in Alivisatos et al. can be organic, such reliance is misplaced.

Alivisatos et al. at 2:7-10 states "It would be particularly advantageous if the light emitting material was an inorganic material capable of withstanding higher temperatures than the conventional organic polymeric materials." This cannot be used by the Examiner as a teaching in Alivisatos et al. that the nanometer crystals described at 6:4-25 can be organic rather than inorganic as disclosed. Such reliance is in error.

3. The Examiner should be more specific in regard to her reliance on Lamansky et al. that there is no linking agent.

The Examiner states that Lamansky et al. discloses a nanomorphic non-polymeric organic compound that is not a linking agent, broadly citing [0031]-[0083]. However, this citation covers an extensive disclosure in Lamansky et al. and fails to identify specifically where in Lamansky et al. is the description that there is no linking agent. A further explanation is requested. This is necessary to best focus the issue for further prosecution.

4. Where in Lamansky et al. is there a disclosure that the organic electroluminescent compositions are nanomorphic?

The Examiner appears to conclude that the organic electroluminescent compositions in Lamansky et al. are nanomorphic, broadly citing [0031]-[0083]. However, this citation covers an extensive disclosure in Lamansky et al. and fails to identify specifically where in Lamansky et al. is the description that the organic electroluminescent compositions are nanomorphic. A further explanation is requested. This is necessary to best focus the issue for further prosecution.

5. The requisite motivation or suggestion to modify Alivisatos et al. as taught by Lamansky et al., in order to arrive at claim 1, is lacking.

The Examiner states that since the compound in Lamansky et al. has a non-polymeric emissive dopant which is a florescent and phosphorescent small molecule emitter capable of emitting radiation within a large range of wavelengths, citing [0050], it would be obvious to modify Aivisatos et al. as taught by Lamansky et al. simply because both references are concerned with emitting radiation. However, this reasoning is insufficient because it ignores the disclosure in Alivisatos et al. that the nanomorphic material layer 30 must include a linking agent to bond the nanometer crystals. See 6 :26-65 in Alivisatos et al. Thus, since the linking agent is a mandatory component of the nanomorphic material layer 30 in Alivisatos et al., this mitigates against not using the linking agent -- contrary to the Examiner's reasoning.

Since Alivisatos et al. expressly teaches against not using the linking agent, a person of ordinary skill, upon reading the reference., clearly would be discouraged from not using the linking agent. See *Monarch Knitting Mach. Corp. v. Sulzer Morat GmbH*, 139 F.3d 877, 1998 U.S. App. LEXIS 4165, 45 U.S.P.Q.2d (BNA) 1977 (Fed. Cir. 1998). Thus, it would not be obvious to a person of ordinary skill to combine Lamansky et al. with Alivisatos et al. as the Examiner has done. The requisite motivation or suggestion to modify Alivisatos et al. as taught by Lamansky et al. is lacking.

Accordingly, the Examiner has failed to establish a prima facie case of obviousness.

6. The Examiner cannot ignore the disclosure in Alivisatos et al. that the nanometer crystals must be bound by a linking agent to form the nanomorphic material layer 30.

The Examiner in applying Lamansky et al. to modify Alivisatos et al., in an attempt to arrive at claim 1, has ignored the disclosure in Alivisatos et al. that the nanometer crystals must be bound by a linking agent to form the nanomorphic material layer 30. This is in error.

Accordingly, the Examiner has failed to establish a prima facie case of obviousness.

7. Claims 2-5 are patentable.

Claims 2-5 depend from amended claim 1 and are believed to be patentable over Alivisatos et al. in view of Lamansky et al. at least for the same

reasons that amended claim 1 is stated above to be patentable over Alivisatos et al. in view of Lamansky et al.

Also with regard to claims 2 and 3, particularly see remark 2. presented above.

Also with regard to claim 3 as amended, 9:6-20 in Alivisatos et al. discloses that when the first and second electron transport layer portions 30a and 30b both receive a low voltage a first wavelength emission results. Conversely, when the first and second electron transport layer portions 30a and 30b both receive a raised voltage a second wavelength emission results. This disclosure is different than amended claim 3, which recites that the second organic nanomorphic material is adapted to luminesce at a second wavelength when addressed through the first and second electrodes. The second wavelength is different than the first wavelength that the first organic nanomorphic material is adapted to luminesce at when the the first organic nanomorphic material is addressed through the first and second electrodes.

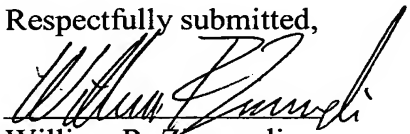
Conclusion

It is respectfully submitted that, in view of the above amendment and remarks, this application is now in condition for allowance, a prompt notice of which is earnestly solicited.

If the Examiner contuse with the rejection, she is requested to reply to each one of the remarks 1.-7. presented above. This is necessary and critical to best focus the issues for a possible appeal.

The Examiner is invited to call the undersigned in the event that a phone interview will expedite prosecution of this application towards allowance.

Respectfully submitted,



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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.